



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 9172-15 D.C.

AGENCY DKT. NO. C226127 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA") and back rent. The Agency denied Petitioner's application for EA/TRA on the basis that Petitioner had a realistic capacity to plan in advance and failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 26, 2015, the Honorable Jesse H. Strauss, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony.

On June 26, 2015, the ALJ issued an Initial Decision affirming the Agency determination. The ALJ noted that Petitioner had years in which to find work, but instead exhausted substantial financial resources. See Initial Decision at 3. It was further noted that Petitioner's pending eviction was not a surprise or unanticipated event, as Petitioner should have long before anticipated its occurrence, and had plenty of time to realistically plan to find alternative affordable housing but did not. *Ibid.* Because Petitioner caused her own homelessness, the ALJ concluded that Petitioner is not entitled to EA/TRA. *Ibid.* The ALJ ordered that the Agency's determination to deny Petitioner's request for EA/TRA be affirmed. *Id.* at 4.

Exceptions to the Initial Decision were filed by Petitioner on June 30, 2015.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and I hereby ADOPT the Findings of Fact and Conclusions of Law in the matter.

By way of comment, I have read Petitioner's exceptions, and I find that the arguments

made therein do not alter my decision in the matter.

By way of further comment, as Petitioner has been found to have caused her own homelessness without good cause, she is ineligible for EA benefits for a period of six months. See N.J.A.C. 10:90-6.1(c)(3). Therefore, Petitioner may re-apply for EA six months after the effective date of the Agency's denial of her EA/TRA request, provided she continues to need EA and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1.

Accordingly, the Initial Decision in the matter is ADOPTED and the Agency's action is hereby AFFIRMED.

Signed Copy on File
at DFD, BARA

JUL - 7 2015

Natasha Johnson
Director